mpt

IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3656 OF 2007

Chandrakant Bhausaheb Bhise .. Applicant

versus

State of Maharashtra .. Respondent

...

Mr.Shrishail Sakhare for the applicant.

Mr.Rajesh More APP for the State.

CORAM : D.G.KARNIK, J

DATED : 23rd November 2007

P.C.:

1. This application is made under section 439 by the applicant for bail. The applicant is charged with an offence under section 302, 323, 504 of the IPC. The applicant had previously made several applications for bail before the sessions court and they were rejected. The applicant lastly made an application for temporary bail before the Sessions court on the ground that the mother of the applicant was seriously ill. By an order dated 1st October 2007, the application has been rejected. The

applicant has therefore filed this application before this court. Counsel for the applicant therefore submitted that in view of the illness, temporary bail ought to have been granted by the Sessions Judge.

2. In view of the subsequent events which have occurred, it is not necessary to consider other submissions. The only question as of today is whether the applicant is presently entitled to a temporary bail.

3. The applicant’s mother ultimately succumbed to her illness and died on 14th October 2007. Therefore the ground which was pleaded before the Sessions Court and which is pleaded before me viz. to enable the applicant to look after his ailing mother no longer survives. No ground of granting a regular bail has been canvassed before me. In the circumstances, application is rejected.

(D.G. KARNIK, J)